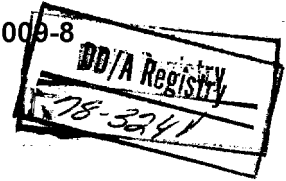


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15 AUG 1978

MEMORANDUM FOR: Office of General Counsel

FROM : F. W. M. Janney
Director of Personnel

SUBJECT : Proposed Intelligence Charter Legislation,
Title IV, S.2525

REFERENCE : AI/DDA informal note for D/Pers dtd 11 Aug 78,
same subject

Forwarded in response to reference request are the Office of Personnel comments on subject draft legislation.

Page 5, Section 412, para (a)

The use of the term "act" and "acting" connotes a temporary condition, even with the "shall" preceeding it. (See para (c), same page for the normal use of "act".) Is this the intent?

Is the lack of provision for a Deputy Director of the Agency inadvertent or deliberate?

Page 9, Section 421, para (a)(4)

There is no provision in this section or elsewhere for reimbursement to CIA by other agencies for CIA personnel detailed out at the host agency's request. This paragraph as edited would appear to have CIA pay the expenses of details out as well as those of personnel in a cover situation. Propose the "for cover purposes" be restored if that is the intent of this section and add provision here or on page 12, para (c) for other agency reimbursement to CIA as appropriate for services of detailed out personnel.

Page 14, Section 421, para (h)

The wording of this paragraph implies the Agency will be establishing its own guard force with "sheriff and constable" authority. Is this correct? Currently the Agency has arrangements with the military

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and GSA to provide the guard services at the various installations, and personnel in these situations are "assigned" to duty with CIA, but are not appointed. There have been instances where we have contracted with individuals for "visible guard" duties at certain sites, but they do not have the "sheriff or constable" authority.

Pages 14 and 15, Section 421, para (j)(1) and (2)

Is the authority to "separate" in para (j)(1) the normal head of agency administrative authority to accept resignations, effect retirements, separate an employee with due process, et al, and the "termination" authority in para (j)(2) the present National Security Act, para 102c authority to, in effect "fire" an employee without going the route of the appeal process?

Page 15, Section 421, para (3)

As written this paragraph appears to transfer only certain Executive schedule positions to the Agency under the Act and to require congressional approval for the establishment or reestablishment of all supergrade positions and those executive positions not transferred. It may be the punctuation of the paragraph. If the purpose is to transfer all executive and supergrade positions now authorized and only require that new ones be established "by law", we recommend the paragraph be rewritten or edited.

For your background information, the Agency has approximately supergrade positions established on the Staffing Complement, but is limited to supergrade employees or incumbencies. This will be reduced with the transfer of a number of supergrade allocations to the ICS complex.

Page 21, Section 425

A minor point, but suggest the "his" be deleted from the clause "such alien and his immediate family". The draft, except for reference to the DNI, is otherwise clean of masculine pronouns.

(SIGNED) F. W. M. Jarney

F. W. M. Jarney

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